

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q96646

Nobuhiko FUSHIMI, et al.

Appln. No.: 10/591,757

Group Art Unit: 1614

Confirmation No.: 6348

Examiner: not yet assigned

Filed: September 1, 2006

For: NITROGENOUS FUSED-RING DERIVATIVES, MEDICINAL COMPOSITIONS  
CONTAINING THE DERIVATIVES, AND USE THEREOF AS DRUGS

REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

ATTN: Office of Initial Patent Examination  
Filing Receipt Correction  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We enclose a copy of the Official Filing Receipt for the above-identified application and request the following correction:

Applicants:

Nobuhiko Fushimi, Nagano, JAPAN;

Hirotaka Teranishi, Nagano, JAPAN;

Kazuo Shimizu, Nagano, JAPAN;

Shigeru Yoneku Yonekubo, Nagano, JAPAN;

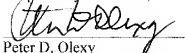
Fumiaki Ito, Nagano, JAPAN;

Masayuki Isaji, Nagano, JAPAN

Verification for the requested correction is indicated on the Declaration filed

September 1, 2006.

Respectfully submitted,



Peter D. Olexy  
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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: JUN 22 2007



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
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APPL NO.	FILING OR 371(G) DATE	ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	TOT CLMS	IND CLMS
10/591,757	09/01/2006	1614	2160	Q96646	27	1

CONFIRMATION NO. 6348

23373  
 SUGHRUE MION, PLLC  
 2100 PENNSYLVANIA AVENUE, N.W.  
 SUITE 800  
 WASHINGTON, DC 20037

## FILING RECEIPT



\*CC000000023769492\*

MAY 7 4 2007

Date Mailed: 05/09/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Nobuhiko Fushimi, Nagano, JAPAN;  
 Hirotaka Teranishi, Nagano, JAPAN;  
 Kazuo Shimizu, Nagano, JAPAN;  
 Shigeru ~~Yonekubo~~ Nagano, JAPAN; *Yonekubo*  
 Fumiaki Ito, Nagano, JAPAN;  
 Masayuki Isaji, Nagano, JAPAN;

## Assignment For Published Patent Application

KISSEI PHARMACEUTICAL CO., LTD., Nagano, JAPAN

Power of Attorney: The patent practitioners associated with Customer Number 23373.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP05/04145 03/03/2005

## Foreign Applications

JAPAN 2004-61426 03/04/2004

If Required, Foreign Filing License Granted: 05/08/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/591,757**

Docket No.: Q96646

# DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION (37 C.F.R. 1.63)

## 特許出願宣言書および委任状(37 C.F.R. 1.63)

### Japanese Language Declaration

私は以下の通り宣言します:

各発明者の住所、郵送先、および国籍は下記氏名の後に記載された通りです。

下記名称の発明に関し請求範囲に記載され特許出願がされている発明内容につき、下記に記載された発明者が本来かつ最初の発明者であると信じます。

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ 上記発明の明細書は本書に添付されます。

または

☐ 上記発明は米国出願番号あるいは PCT 国際出願番号  
\_\_\_\_\_(確認番号\_\_\_\_\_)として\_\_\_\_\_  
年\_\_月\_\_日に出願され、  
\_\_\_\_年\_\_月\_\_日に補正されました(該当する場合)。

私は補正が上に明示された場合は補正された特許請求範囲を含む前記明細書の内容を検討し、理解していることをここに表明します。

私は一部継続出願の場合先行出願の出願日から一部継続出願の国内あるいは PCT 国際出願日までの期間中に入手された重要な情報を含み、37 C.F.R. 1.56 に定義される特許性に肝要な情報について開示義務があることを認めます。

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

NITROGENOUS FUSED-RING DERIVATIVES,  
MEDICINAL COMPOSITIONS CONTAINING THE  
DERIVATIVES, AND USE THEREOF AS DRUGS

☒ the specification of which is attached hereto

OR

☐ was filed on \_\_\_\_\_  
as United States Application Number or PCT  
International Application Number \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. 1.56, including for continuation-in-part application(s), material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

## Japanese Language Declaration

私は 35 U.S.C. 119(a)-(d) あるいは (f), または 365(b) に基づき特許、発明者、あるいは植物育種家証書の下記外国出願、または 365(a) に基づきアメリカ合衆国以外の少なくとも 1 ヶ国を指定した下記 PCT 国際出願についての外国優先権特許をここに主張するとともに、下記項目に 1 印を付けることにより優先権を主張する出願以前の出願日を有する特許、発明者、あるいは植物育種家証書の外国出願または PCT 国際出願を示します。

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application(s) which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application(s) having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)  
先行外国出願番号

Priority Claimed?  
優先権の主張 ?

61426/2004 Japan  
(Application Number) (Country)  
(出願番号) (国名)

March 4, 2004  
(Filing Date)  
(出願日)

Yes No  
有り無し  
☒ ☐

(Application Number) (Country)  
(出願番号) (国名)

(Filing Date)  
(出願日)

☐ ☐

私は 35 U.S.C. 119(c) に基づき下記の特許出願の国内優先権をここに主張します。

I hereby claim domestic priority under 35 U.S.C. 119(c) of any United States provisional application(s) listed below.

(Application Number) (Filing Date)  
(出願番号) (出願日)

(Application Number) (Filing Date)  
(出願番号) (出願日)

私は 35 U.S.C. 120 に基づき下記米国特許出願、あるいは 365(c) に基づき米国を指定する下記 PCT 国際出願の利益をここに主張し、本特許出願内特許請求範囲の各項目の内容が 35 U.S.C. 112 の最初の項に規定される方法により先行米国あるいは PCT 国際特許出願で開示されていない限りにおいて 37 C.F.R. 1.56 に定義される本出願の特許性に許容で、先行特許出願の出願日から本特許出願の国内あるいは PCT 国際出願日までの期間中に入手された情報について開示義務があることを認めます。

I hereby claim benefit under 35 U.S.C. 120 of any United States application(s) or 365(c) of any PCT international application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in a listed prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge my duty to disclose any information material to the patentability of this application as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. or International Application Number(s)  
先行米国あるいは国際出願番号

(Application Number) (Filing Date)  
(出願番号) (出願日)

(Status: patented, pending, abandoned)  
(状態: 特許成立済、係属中、放棄済)

(Application Number) (Filing Date)  
(出願番号) (出願日)

(Status: patented, pending, abandoned)  
(状態: 特許成立済、係属中、放棄済)

私は本宣言書内で私自身の知識に基づいてなされたすべての陳述が真実であり、情報および信託するに値するものとしてなされたすべての陳述が真実であると信じられていることをここに宣言し、さらに故意になされた虚偽の陳述等々は 18 U.S.C. 1001 に基づき罰金あるいは拘禁または両方による処罰にあたり、またかような故意による虚偽の陳述はそれに基づき特許出願あるいは成立特許の有効性を危うくする可能性があることを認識した上でこれらの陳述をなしたことを宣言します。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## Japanese Language Declaration

委任状: 私は下記の米国特許商標局 (USPTO) 顧客番号のもとに記載される SUGHRUE MION 法律事務所のすべての弁護士を、同顧客番号のもとに記載される個々の弁護士は Sughrue Mion 法律事務所のための自由裁量に基づき変更され得ることを認識した上で、本特許出願の手続きおよびそれに関わる米国特許商標局との業務を遂行する弁護士として指名し、本特許出願に関するすべての通信が同 USPTO 顧客番号のもとに提出された住所宛に送付されることを要請します。

POWER OF ATTORNEY: I hereby appoint all attorneys of SUGHRUE MION, PLLC who are listed under the USPTO Customer Number shown below as my attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, recognizing that the specific attorneys listed under that Customer Number may be changed from time to time at the sole discretion of Sughrue Mion, PLLC, and request that all correspondence about the application be addressed to the address filed under the same USPTO Customer Number.

## STATEMENT OF ACCURATE TRANSLATION IN ACCORDANCE WITH 37 C.F.R. §1.69(b):

The declaration and power of attorney is an accurate translation of the corresponding English language declaration and power of attorney.

Signature

Date

*Daniel G.*  
04/09/2004

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

電話連絡は下記へ:

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(202) 293-7060

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SUGHRUE MION, PLLC  
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## NAME OF SOLE OR FIRST INVENTOR:

唯一あるいは第一の発明者名

Given Name (first and middle (if any))

名(名およびミドルネーム(該当する場合))

Nobuhiko

Family Name or Surname

姓

FUSHIMI

Inventor's signature

発明者の署名

*Nobuhiko Fushimi*

Date

日付

August 28, 2006

Residence:

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Japanese

Mailing Address:

郵送先:

Same as above

## NAME OF SECOND INVENTOR:

第二の発明者名:

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名(名およびミドルネーム(該当する場合))

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TERANISHI

Inventor's signature

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Citizenship

国籍

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Inventor's signature

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名(名およびミドルネーム(該当する場合))

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Family Name or Surname

姓

YONEKUBO

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発明者の署名

Fumiki Ito

Date

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Citizenship

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Masayuki

Family Name or Surname

姓

ISAJI

Inventor's signature

発明者の署名

Masayuki Isaji

Date

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August 28, 2006

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